

**CENTENNIAL, LOT 17, AP
MAJOR SUBDIVISION WITH ONE VARIANCE REQUEST**

STAFF REPORT FOR PLANNING BOARD

CASE PLANNER: Tristan Riddell *TR*

**REVIEWED/
APPROVED BY:** Renee Van Hoven *W*

PUBLIC MEETING: Planning Board Plat Evaluation: June 28, 2006
Planning Board Public Hearing: July 19, 2006
Deadline for Planning Board recommendation to BCC: August 16, 2006
BCC public meeting (tentative): 9:00am September 5, 2006
Deadline for BCC action (60 working days): September 22, 2006

APPLICANT OWNER: K & J Development
843 Peppergrass Lane
Corvallis, MT 59828

REPRESENTATIVE: Bitterroot Engineering & Design
John Horat
1180 Eastside Highway
Corvallis, MT 59828

LOCATION OF REQUEST: The property is located west of Corvallis on Willow Creek Road.



Map 1: Location Map
(Data Source: Ravalli County Planning Department)

**LEGAL DESCRIPTION
OF PROPERTY:**

SW1/4 of Section 33, T7N, R20W, P.M.M., Ravalli County, Montana.

**APPLICATION
INFORMATION:**

The subdivision application was determined complete on June 16, 2006. Agencies were notified of the subdivision and comments received by the Planning Department are Exhibits A-1 through A-7 of the staff report.

LEGAL NOTIFICATION:

A legal ad was published in the Ravalli Republic on June 27, 2006. Notice of the project was posted on the property and adjacent property owners were notified of the subdivision by certified mail postmarked June 21, 2006. No public comments have been received to date.

**DEVELOPMENT
PATTERN:**

Subject property	Residential
North	Residential
South	Residential
East	Residential
West	Residential

RAVALLI COUNTY PLANNING BOARD
JULY 19, 2006
CENTENNIAL, LOT 17, AP
TWENTY NINE-LOT MAJOR SUBDIVISION

RECOMMENDED MOTION

1. That the variance request from Section 5-4-5(a) & (b)(4) of the Ravalli County Subdivision Regulations, which requires the applicant to improve Willow Creek Road to meet county standards, be **denied**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.
2. That the Centennial, Lot 17, AP Major Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

Notification of Irrigation Ditch/Pipeline Easements. Within this subdivision there are irrigation easements. All downstream water right holders have the right to maintain and repair their ditches/pipelines and diversion structures whenever necessary to keep them in good condition. The filed subdivision plat shows irrigation ditches and easements on the property. The downstream water rights holders must approve any relocation or alteration (i.e. installation of a culvert) of an irrigation ditch or pipeline. Any act which damages or destroys a ditch, interferes with its operation or maintenance in any way, or restricts access to the ditch so as to interfere with its maintenance is expressly prohibited. The downstream water right holders have the right to use the easement to maintain the ditch or pipeline. (*Effects on Agricultural Water User Facilities*)

Lots within this subdivision do not currently have the right to take irrigation water out of the Surprise Ditch located within the subdivision. Taking water without a water right for irrigation purposes is illegal. (*Effects on Agricultural Water User Facilities*)

Notification of Utility Easements. Within this subdivision there are utility easements. No structure shall be allowed to encroach into or set upon the utility easements. The utility easements shall remain unobstructed and accessible at all times. (*Effects on Local Services - Utilities*)

Notification of Storm Water Drainage Easements. Within this subdivision there are storm water drainage easements. No structures may be placed within these easements that are not needed for storm water management. (*Effects on Agricultural Water User Facilities and Local Services*)

Notification of Proximity to Natural Gas Line, Easement and No-Build Zone. A 2" diameter natural gas main supply line is buried within a 50-foot wide easement and traverses the western portion of Aspen Springs, as shown on the filed subdivision plat. The final subdivision plat identifies a 50-foot wide no-build zone, which applies to residential, commercial

and/or industrial structures, centered on the gas line. Northwestern Energy has the authority and jurisdiction to install, operate and maintain the existing natural gas pipeline traversing this subdivision in accordance with the Department of Transportation's Code of Federal Regulations and the standards within the Gas Transmission Right-of-Way Development Provisions. For further information regarding the gas line, please contact the Northwestern Energy Company, 1140 South First Street, Hamilton, Montana, 59840, (406) 542-5970. *(Effects on Public Health and Safety)*

Notification of Severe Soils. Within this subdivision there are areas of the property identified as potentially having soils rated as severe for road and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils in question which are included as exhibits to this document. (The applicant shall include the exhibits as attachments) *(Effects on Public Health and Safety)*

Notification of Road Maintenance. Ravalli County, the State of Montana, or any other governmental entity does not maintain the internal subdivision roads and therefore does not assume any liability for improper maintenance or the lack thereof. A Road Maintenance Agreement for the internal roads was filed with this subdivision and outlines what parties are responsible for road maintenance and under what conditions. *(Effects on Local Services)*

Limitation of Access onto a County Road. A "no ingress/egress" restriction is located along the Willow Creek Road frontage of the subdivision, excepting the approach to Centennial Lane, which precludes vehicular access onto this County-maintained road. This limitation of access may be lifted or amended with approval of the County. *(Effects on Local Services & Effects on Public Health and Safety)*

Notification of Proximity to Montana Rail-Link Railroad. This subdivision is located adjacent to the Montana Rail-Link railroad grade. Standard operation of the railroad can include elevated noise levels, exhaust fumes, and engine headlights, which may be objectionable to some people. In addition, there are inherent hazards associated with railroad operations. Every train that uses this railroad track will sound a warning whistle for the Willow Creek Road grade crossing, as required by federal law. *(Effects on Public Health and Safety)*

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

Waiver of Protest to Creation of RSID/SID. Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to a community water system, a community waste water treatment system, and improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs. *(Effects on Local Services)*

Maintenance of Fencing along Surprise Ditch. The owners of Lots 17-1 and 17-2 shall be responsible for maintaining the safety fencing located along the boundary of the lots. The Homeowner's Association shall be responsible for maintaining the portion of the fence located along the boundary of the park. Each lot owner and the Homeowner's Association shall be responsible for maintaining the portion of the fence on their lot to meet the specifications in Section 5-6-2(b) of the Ravalli County Subdivision Regulations. *(Effects on Public Health and Safety)*

Amendment. The covenants filed with the final plat shall state that written governing body approval shall be required for amendments to provisions of the covenants listed above, that are required to be included as a condition of subdivision approval. *(Effects on all six criteria)*

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with the subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. *(Effects on Local Services)*
4. The internal subdivision road shall be labeled as a public road and utility easement on the final plat. *(Effects on Local Services)*
5. The applicant shall provide evidence that an amount of \$250 per lot has been contributed to the Corvallis School District prior to final plat approval. *(Effects on Local Services)*
6. The applicant shall provide a letter from the Corvallis Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicant may provide evidence of a \$500 contribution made to the Corvallis Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services & Effects on Public Health and Safety)*
7. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Local Services & Public Health and Safety)*
8. The existing irrigation easement for the Surprise Ditch shall be shown on the final plat as shown on the preliminary plat. *(Effects on Agricultural Water User Facilities)*
9. A stop sign shall be installed at the intersections of the internal subdivision roads and, as approved by the Planning Department, in consultation with the Road and Bridge Department, prior to final plat approval. *(Effects on Local Services & Effects on Public Health and Safety)*

INTRODUCTION

Centennial, Lot 17, AP is a twenty-nine-lot major subdivision proposed on 10.08 acres. The property is located approximately one half mile west of Corvallis on Willow Creek Road. It is located in the Corvallis School District and the Corvallis Rural Fire District. The proposal is for twenty-nine (29) single-family residential lots. All lots will connect to the Corvallis Sewer District. In conjunction with the subdivision proposal, the applicant is requesting one variance:

1. For relief from Section 5-4-5(a) & (b)(4) of the Ravalli County Subdivision Regulations, to allow a \$15,000 payment in-lieu of improving Willow Creek Road to county standards.

Staff is recommending denial of the variance request and conditional approval of the subdivision.

SUBDIVISION REPORT

COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA

CRITERION 1: EFFECTS ON AGRICULTURE

Findings of Fact:

1. The property is not currently being used for agriculture.
2. The property is not adjacent to other agricultural properties.
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.

Conclusion of Law:

This subdivision will not have negative impacts on agriculture.

CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES

Findings of Fact:

1. According to the application, the property does not have water rights.
2. The Surprise Ditch runs along the western portion of the property, and there is a fifty-foot easement for this ditch. To mitigate impacts on agricultural water user facilities, the existing irrigation easement shall be shown on the final plat and a notification of the easement shall be included in the Notifications document. Notification shall also be included that states that owners of the lots do not have the right to take water from the Surprise Ditch. (*Conditions 1 & 8*)

Conclusion of Law:

Impacts to agricultural water user facilities will be minimized with the mitigating condition of final plat approval.

CRITERION 3: EFFECTS ON LOCAL SERVICES

Findings of Fact:

1. In an email dated July 3, 2006, the Ravalli County Road and Bridge Department stated that the bridge crossing the Surprise Ditch does not meet county standards. The applicant is required to improve the bridge as it provides access to the subdivision.
2. All lots in the subdivision are proposed to be served by an internal road system. The Road and Bridge Department has approved the preliminary road plans (*Exhibit A-6*).
3. Submittal of final grading and drainage plans, approved road name petitions for the internal subdivision roads, and a road certification, as certified by a professional engineer, are requirements of final plat approval. Installation of all infrastructure improvements is also required to be completed prior to final plat approval, which includes construction of the road and stormwater drainage facilities and installation of road name signs for the internal subdivision road. A General Discharge Permit for Stormwater Associated with Construction Activity from DEQ may also be required.
4. To mitigate impacts on the road system and public safety, the applicant shall install a stop sign at the intersections of the internal roads. (*Condition 9*)
5. A Road Maintenance Agreement was proposed for the internal subdivision roads and is required to be submitted with the final plat application. A notification of the Road Maintenance Agreement shall be included in the Notifications document. (*Condition 1*)
6. There is an existing "no ingress/egress" restriction along the Willow Creek Road frontage of the subdivision. A notification of limitation of access onto a county road shall be included in the Notifications document. (*Condition 1*)

Road and Bridge Department, and engineer certification that all road improvements meet County Standards shall be submitted with the final plat application for each phase. All improvements are required to be completed prior to the final plat approval, unless a subdivision improvements guarantee with adequate security is accepted by the Board of County Commissioners.

8. Within the subdivision there are utility easements for connection to the Corvallis County Sewer District. A notification of utility easement shall be included in the Notifications document. *(Condition 1)*
9. There are stormwater drainage easements throughout the property and to mitigate impacts on local services, a notification of the stormwater drainage easements shall be included in the Notifications Document filed with the final plat. *(Condition 1)*
10. In order to ensure that the public has usage of the road within this subdivision and to mitigate impacts on local services, the internal subdivision road shall be dedicated as a public road and utility easement on the final plat. *(Condition 4)*
11. Wastewater treatment will be provided by connections to the Corvallis County Sewer District's Public Sewer System. Final approval from the District will be granted once a set of conditions are met. A plan showing the hook-ups for appropriate easements has been provided with the application. To mitigate impacts on local services, the applicant shall meet the Sewer District's requirements as outlined in the Letter of Acceptance for Sewer Connection dated February 2, 2005 *(Exhibit A-4)*.
12. The subdivision will connect to the existing approved Centennial Subdivision community well system. A plan showing how the connection will occur has been provided with the application.
13. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. *(Conditions 2 & 3)*
14. Bitterroot Disposal provides service to this site.
15. The applicants are proposing cash-in-lieu of parkland dedication *(Application)*. Section 6-1-7 of the Ravalli County Subdivision Regulations requires the developer to hire a real estate appraiser legally qualified to appraise undeveloped land to determine the fair market value of land prior to final plat approval. In conjunction with the cash-in-lieu, the applicant has dedicated a 0.37 acre park to be maintained by the Homeowner's Association.
16. In a letter dated April 11, 2006, the Corvallis School District requested that proper mitigation measures be taken into account when considering increased impacts to the School District *(Exhibit A-2)*. The applicant is proposing a contribution to the Corvallis School District in the amount of \$250 per lot. To mitigate impacts of the proposal on the School District, the applicants shall contribute \$250 per lot to the Corvallis School District prior to final plat approval. *(Condition 5)*
17. The subdivision is located within the Corvallis Rural Fire District. The Corvallis Rural Fire District has provided general comments on subdivision proposals, indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. Conditions of approval will meet the recommendations of the Corvallis Rural Fire District. *(Exhibit A-3)* *(Condition 6 and Application)*
18. Adequate public services are available to the subdivision.
19. The Ravalli County Sheriff's Office provides law enforcement services to this area.

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be mitigated.

CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT

Findings of Fact:

1. Connection to the existing approved Centennial Subdivision community well system and connection to the Corvallis County Sewer District are proposed to serve lots within the subdivision and adequate information has been provided to the Environmental Health Department for local subdivision review to occur. (*Exhibit A-5*)
2. To mitigate air pollution resulting from home heating emissions, protective covenants have been filed with the final plat of the Centennial Subdivision stating that the primary heat source for any newly constructed residences must be at least 75% efficient. These covenants pertain to this proposal. (*Application*)
3. An approved noxious weed and vegetation control plan is required to be filed with the final plat. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, the plan shall be submitted to the weed board for approval by the board. This provision has already been incorporated into the existing Centennial Subdivision covenants. (*Application*)

Conclusion of Law:

Impacts from this subdivision on the natural environment will be minimized with the requirements of final plat approval and imposition of mitigating conditions.

CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT

Findings of Fact:

1. The property is not located within the Montana Fish, Wildlife, and Parks (FWP) identified big game winter range and there are no species of special concern listed in the vicinity of the property.
2. FWP requested that living with wildlife provisions be included in the covenants to mitigate impacts on wildlife and wildlife habitat (*Exhibit A-1*). The requested provisions are already included within the existing Centennial Subdivision Covenants. (*Application*)

Conclusion of Law:

With the condition of approval, the proposed subdivision will likely have a minimal impact on wildlife.

CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY

Findings of Fact:

1. To mitigate impacts on public health and safety, the subdivider shall apply for County-issued addresses and a provision requiring property owners to post County-issued addresses at their driveways shall be in the covenants. (*Condition 7*)
2. The proposed subdivision is located within the Corvallis Rural Fire District and with Conditions 2 and 6 impacts to the District will have been addressed.
3. All lots will be incorporated into the Corvallis County Sewer District. Lots will also connect into an existing communal well system that was approved for the Centennial Subdivision.
4. A letter from NorthWestern Energy (*Application*) states that no removal of any cover from the top of a gas pipeline will be permissible. It is further stated that during construction any heavy equipment crossing the pipeline shall do so within designated crossings. No further correspondence has been submitted to the Planning Department. To mitigate any concerns associated with the gas line, the applicant shall adhere to the guidelines set forth in the letter from NorthWestern Energy and shall include a notification of proximity to natural gas line, easement and no-build zone within the Notifications document. (*Condition 1*)

5. To further mitigate impacts on public health and safety due to the location of the gas line, the existing no-build zone within 25 feet of both sides of the gas line, as shown on the preliminary plat, shall be shown on the final plat and a notification of the high pressure gas line shall be included in the Notifications Document filed with the final plat. *(Condition 1)*
6. The preliminary plat and soils map indicate that the subdivision may have soils rated as severe for road and building construction. To educate property owners and to mitigate potential impacts of this subdivision on public health and safety, a notification of the potential for severe soils shall be included in the Notifications Document filed with the final plat. A reduced plat showing the approximate locations of soils rated as severe for roads and building construction and descriptions of the severe soils in question shall be attached to the Notifications Document as an exhibit. *(Condition 1)*
7. Unfenced irrigation supply ditches pose a significant and tangible threat to young children when located within a residential setting. The Surprise Ditch is considered an irrigation supply ditch, as opposed to a lateral ditch or smaller ditch, in which case the fencing requirement of Section 5-6-2 applies and fencing of the Ditch in accordance with the Regulations is a requirement of final plat approval. To mitigate impacts to public health and safety, the covenants shall include a provision requiring the maintenance of the fencing along the Surprise Ditch. *(Condition 2)*
8. There is an existing "no ingress/egress" restriction along the Willow Creek Road frontage of the subdivision. A notification of limitation of access onto a county road shall be included in the Notifications document. *(Condition 1)*
9. The property is adjacent to the Montana Rail-Link Railroad. To mitigate impacts as a result of the proximity to the railroad a notification of proximity to Montana Rail-Link Railroad shall be included in the Notification Document. *(Condition 1)*
10. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles. This provision is already included in the existing Centennial Subdivision Covenants. *(Application)*
11. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants shall include a statement regarding radon exposure. This provision is already included in the existing Centennial Subdivision Covenants. *(Application)*

Conclusion of Law:

The mitigating conditions and requirements of final plat approval will address impacts on public health and safety.

COMPLIANCE WITH:

1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.

Finding of Fact:

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

Conclusion of Law:

This proposal meets the survey requirements or conditions have been required to bring the proposal into compliance.

2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.

Finding of Fact:

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

Conclusion of Law:

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS

Findings of Fact:

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

Conclusion of Law:

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

CONSISTENCY WITH EXISTING ZONING AND COVENANTS

Findings of Fact:

1. There is no existing zoning on the property.
2. Covenants were created when the parcel was initially subdivided. These covenants will remain in effect and the newly created lots will become part of the existing Homeowner's association.

Conclusions of Law:

The property has no zoning and the existing covenants will remain in effect.

PROVISION OF EASEMENTS FOR UTILITIES

Finding of Fact:

The proposed subdivision will be served by Northwestern Energy and Qwest Telephone. Utility certificates are a requirement of final plat approval.

Conclusion of Law:

Utility services will be available to this subdivision.

PROVISION OF LEGAL AND PHYSICAL ACCESS

Finding of Fact:

Physical and legal access for this subdivision is proposed via Centennial Lane, the internal subdivision roads, and Willow Creek Road. (*Local Services*)

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.

VARIANCE REPORT

VARIANCE REQUEST

The applicant has requested a variance from Section 5-4-5(a) & (b)(4) of the Ravalli County Subdivision Regulations, which requires the applicant to improve Willow Creek Road to meet county standards, be **denied**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

Compliance with Variance Review Criteria

A. The granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

Findings of Fact:

1. The Ravalli County Subdivision Regulations require the developer to improve Willow Creek Road to meet County Standards. The amount of the improvements is not known. The applicant is requesting a variance and is proposing mitigation in the amount of a \$15,000 contribution towards improving the existing bridge. This money would be added to the grader district and there is no way to ensure that it will be spent on improving Willow Creek Road.
2. The existing bridge over the Corvallis canal does not meet current design standards.
3. There is no safe passage for pedestrians to cross the existing bridge. Not improving this bridge could prove to be detrimental to public health and safety.
4. In an email dated July 3, 2006, the Ravalli County Road and Bridge Department stated they did not support the variance request and recommended that the applicant make the necessary improvements to the bridge. (*Exhibit A-7*)

Conclusions of Law:

1. If this variance is granted, potential impacts of this subdivision to public health and safety will not be mitigated.
2. The Road and Bridge Department does not support this variance.

B. The conditions on which the request for a variance is based are unique to the property on which the variance is sought and are not applicable generally to other property.

Findings of Fact:

There are many subdivisions that are required to improve existing infrastructure.

Conclusion of Law:

The conditions upon which the variance is requested are not unique to the subject property.

C. Physical conditions, such as topography or parcel shape, prevent the applicant from meeting the strict letter of these regulations. These conditions shall not result from the past actions of the land's current or previous owner(s).

Finding of Fact:

Neither physical or topographic features prevent the applicant from making the required improvements to Willow Creek Road.

Conclusion of Law:

No physical or topographic limitations have been identified that would restrict the applicant from improving Willow Creek Road to county standards.

D. The variance will not in any manner vary the provision of the zoning regulations or the Growth Policy.

Findings of Fact:

1. The property is not within a Zoning District.
2. Provisions of the Ravalli County Growth Policy are followed by an analysis (bulleted points) of the variance request against these provisions.

Countywide Goal 4: Provide necessary infrastructure and public services to accommodate population growth and new development without undue impacts on the quality, quantity and cost of service to existing residents.

Countywide Policy 4.1: Encourage development that will minimize or avoid additional costs to existing taxpayers.

Countywide Policy 4.2: Consider the cumulative impacts of development.

- The proposed subdivision will generate an increased impact on Willow Creek Road. The existing bridge over the canal does not meet current design standards. The bridge should allow for safe pedestrian traffic.

Countywide Policy 4.4: Improve and maintain existing infrastructure and public services.

- The Subdivision Regulations require the applicant to improve Willow Creek Road to meet county standards. The applicant is requesting a variance from this requirement to not have to improve Willow Creek Road, specifically the bridge. Improvements to Willow Creek Road are needed and should be completed.

Conclusions of Law:

1. Zoning does not apply to this property.
2. The Growth Policy does not support granting this variance request.

E. The variance will not cause a substantial increase in public costs.

Finding of Fact:

1. In an email dated July 3, 2006, the Ravalli County Road and Bridge Department stated that the cost to improve the existing bridge would fall on the public, as the RCRBD would have to replace the bridge. (*Exhibit A-7*)

Conclusion of Law:

There will be substantial costs to the public associated with the granting of the variance request.



**Montana Fish
Wildlife & Parks**

EXHIBIT A-1

Region 2 Office
3201 Spurgin Road
Missoula, MT 59804-3099
406-542-5500
April 25, 2006

John Horat
Bitterroot Engineering & Design, Inc.
1180 Eastside Highway
Corvallis, MT 59828

Dear Mr. Horat:

Reference: Centennial, Lot 17 (K & J Development)--Proposed major (29 lots on ~10 acres) subdivision, Corvallis

We have reviewed the topographic map and preliminary plat for this subdivision, and our comments follow.

Although the proposed subdivision is on the east side of Corvallis, there are nearby agricultural fields and irrigation ditches, and Willow Creek is about one-fifth mile south. We believe there is a general possibility of human/wildlife interactions at this location. In particular, wildlife such as white-tailed deer, fox, skunk, and magpie could be found in the area, as well as a possible black bear. Numerous small mammal and bird species might also be found nearby. We believe that "living with wildlife" issues should be conveyed as part of the covenants to future residents in this subdivision, in order to help them deal with and avoid potential wildlife issues. Our recommended version is attached.

Thank you for providing the opportunity for MFWP to comment on this subdivision.

Sincerely,

Mack Long
Regional Supervisor

ML/sr

Enclosure: "Living with Wildlife" covenants

C: Ravalli County Planning Department, Attn: Renee Van Hoven, 215 S. 4 St., Ste. F, Hamilton, MT 59840

Recommended Development Covenant for Centennial, Lot 17 (K&J Development) subdivision, suggested by Montana Fish, Wildlife & Park; Missoula; April 25, 2006

Section ___ : Living with Wildlife

Homeowners must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their pets, and properly storing garbage, pet food, livestock feed and other potential attractants. Homeowners must be aware of potential problems associated with the occasional presence of wildlife such as deer, black bear, mountain lion, coyote, fox, skunk, and magpie. Please contact the Montana Fish, Wildlife & Parks office in Missoula (3201 Spurgin Road, Missoula, MT 59804) for brochures that can help homeowners "live with wildlife." Alternatively, see FWP's web site at www.fwp.mt.gov.

The following covenants are designed to help minimize problems that homeowners could have with wildlife, as well as helping homeowners protect themselves, their property and the wildlife that Montanans value.

1. Homeowners must be aware of the potential for **vegetation damage by wildlife**, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs and trees in this subdivision. Homeowners should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Also, consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer.
2. **Gardens and fruit trees** can attract wildlife such as deer and bears. Keep produce and fruit picked and off the ground, because rotting vegetable material can attract bears, skunks and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Netting over gardens can help deter birds from eating berries.
3. **Garbage** should be stored in secure animal-resistant containers or indoors to avoid attracting animals such as bears, raccoons, and dogs. It is best not to set garbage cans out until the morning of garbage pickup.
4. **Do not feed wildlife** or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract bears with supplemental food attractants (any food, garbage, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in "an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, homeowners must be aware that deer might occasionally attract mountain lions to the area.
5. **Birdseed** can attract bears. If used, bird feeders should: a) be suspended a minimum of 20 feet above ground level, b) be at least 4 feet from any support poles or points, and c)

should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds.

6. **Pets** must be confined to the house, in a fenced yard, or in an outdoor kennel area when not under the immediate control of the owner, and not be allowed to roam as they can chase and kill big game and small birds and mammals. Keeping pets confined also helps protect them from predatory wildlife. Under current state law it is illegal for dogs to chase hoofed game animals and the owner may also be held guilty (MCA 87-3-124).
7. **Pet food** should be stored indoors, in closed sheds or in animal-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, raccoons, and other wildlife. **When feeding pets** do not leave food out overnight. Consider feeding pets indoors so that wild animals do not learn to associate food with your home.
8. **Barbecue grills** should be stored indoors. Keep all portions of the barbecues clean. Food spills and smells on and near the grill can attract bears and other wildlife.
9. Consider **boundary fencing** that is no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer becoming entangled in the fence or injuring themselves when trying to jump the fence. We encourage the use of split rail fences.
10. **Compost piles** can attract skunks and bears. If used they should be kept indoors or built to be wildlife-resistant. Compost piles should be limited to grass, leaves, and garden clippings, and piles should be turned regularly. Adding lime can reduce smells and help decomposition. Do not add food scraps. (Kitchen scraps could be composted indoors in a worm box with minimum odor and the finished compost can later be added to garden soil.)
11. These "living with wildlife" covenants cannot be altered or eliminated without consent of the governing body (county commissioners).

Corvallis School District #1

P. O. Box 700 / 1045 Main
Corvallis MT 59828

EXHIBIT A-2

Ravalli County Planning Dept.

Phone: (406) 961-4211

Fax: (406) 961-5144

Daniel B. Sybrant
Superintendent
961-4211

Sarah Schumacher
Principal,
High School
961-3201

Trevor Laboski
Asst. Principal
High School
961-3201

Tom A. Miller
Principal,
Middle School
961-3007

Janice Stranahan
Principal,
Primary School
961-3261

Virginia Haines
Special Services Dir.
961-3201

Russ Hendrickson
Technology Coord.
961-3201

Vannesa Bargfrede
District Clerk
961-4211

June 20, 2006

Ravalli County Planning Department
215 South 4th Street, Suite F
Hamilton, MT 59840

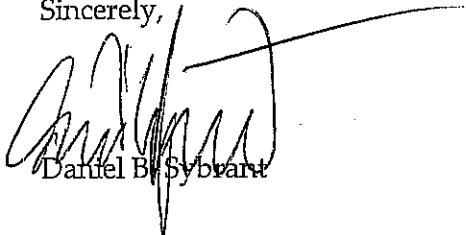
Dear Planning Board,

I have reviewed your letter in regards to the Centennial, Lot 17, AP (K & J Development), for a 29-lot major subdivision off of Willow Creek Road.

We have no specific objection to this subdivision. As we have stated before, growth in student numbers continues to affect our district infrastructure and bussing system.

In general, we ask that appropriate student safety measures be considered when designing this subdivision. We also ask that you consider a reasonable per lot donation to the school district to help mitigate the impact on our school.

Sincerely,



Daniel B. Sybrant

dbs/lh

EXHIBIT A-3

LC C-4-C-3 361

CORVALLIS RURAL FIRE DISTRICT IMPACT FEES

The Corvallis Rural Fire District has established the following requirements for new proposed subdivisions within its district. The requirements were established with consideration for life, safety of the residents of the district, as well as the Volunteers who are called upon to protect the district, and to mitigate harm to the public health and environment.

When establishing the requirements, emphasis was given to the Uniform Fire Code, Articles 9 and 10, and Appendix III-A, the Ravalli County Subdivision Regulations, the Ravalli County Road Department standards, and the 1993 Fire Protection Guidelines for Wildland Residential Interface Development. These Publications and Articles establish rules for dealing with fire apparatus access roads, fire department access to buildings, water supplies for fire protection, installation and maintenance of fire protection systems, and clearance of brush and vegetative growth from roadways.

Consideration was also given to Section 23.7.105 Administrative Rules of Montana, which is adopted pursuant to authority of 50-3-102 (2) and 50-3-103, MCA, which incorporates by reference the UFC (Uniform Fire Code) and establishes a minimum fire prevention code for Montana.

Every effort has been made to use words and phrases consistent with their definitions in the above mentioned publications.

Development Name: A.P. Lot 1, Blk 9, Sunnyside Orchards #3 (3rd Submittal)
Number of Lots: 3
Developer(s) Name: ?

The Fire Department requires that all roads and bridges meet or exceed, and are maintained to, the requirements of the Uniform Fire Code (UFC) Section 902, which reads in part:

902.2.1 Required Access: Fire apparatus shall be provided in accordance with Sections 901 and 902.2 for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet (45,720 mm) from fire apparatus access, as measured by an approved route around the exterior of the building or facility...

EXCEPTIONS: When buildings are completely protected with an approved automatic sprinkler system, the provisions of Sections 902.2.1 and 902.2.2 may be modified by the Chief.

902.2.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of no less than 20 feet (6096 mm) and an unobstructed vertical clearance of no less than 13 feet 6 inches (4115 mm).

902.2.2.2 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus, and shall be provided with a surface to provide all-weather driving capabilities.

902.2.2.6 Grade. The gradient for a fire apparatus access road shall not exceed the maximum approved by the Chief. {The Chief accepts the Resolution approved by the Board of County Commissioners of Ravalli County. The Resolution sets the maximum acceptable road grade by the County for dedication and maintenance at six percent (6%).}

While not all parts of the UFC Section 902 are listed above, it is the responsibility of the Subdivision Developer to construct and maintain all fire apparatus access roads to comply with all aspects of the UFC and Ravalli County Standards.

SPECIFIC REQUIREMENTS:

The Fire District requires that all lots (premises) meet the requirements of UFC 901.4.4 as soon as construction begins with a temporary or permanent address posted at the premises driveway and upon occupancy with a permanent address posted in accordance with the above UFC. It appears that the access to all lots will be adequate if built as submitted.

WATER SUPPLY REQUIREMENTS:

The water supply required by the Uniform Fire Code for one or two family dwellings, not exceeding 3600 square feet, requires a flow rate of 1000 g.p.m. The code does not specify the duration of flow for one and two family dwellings; however, the Fire Protection Guidelines for Wildland Residential Interface Development and the Ravalli County Subdivision Regulations list the minimum water supply of 2500 gallons per lot.

**CORVALLIS COUNTY SEWER DISTRICT
P.O. BOX 134
CORVALLIS, MONTANA 59828**

*Board President: Mr. Charles McRae 961-5117
District Manager: Mr. Steve Mosbrucker 370-4832*

*District Engineer: Mr. Roger De Haan 961-3953
District Clerk: Ms. Lyndi Henson 961-4136*

LETTER OF ACCEPTANCE for SEWER CONNECTION
For Properties Requiring Annexation

Date: February 2, 2005

To: K and J Development
Mr. Kent Curtiss, Owner
843 Peppergrass Lane
Corvallis, Montana 59828
Phone: 961-8371

Copy to: Mr. John Horat, P.E.
Bitterroot Engineering
1180 Eastside Highway
Corvallis, Montana 59828
Phone: 961-5634

Re: AP Lot 18 Centennial Subdivision, proposed new 29 lot subdivision

The Board of the Corvallis Sewer District has reviewed your proposal for the annexation of the above named project to the Corvallis Sewer District, including connection to the District facilities. The Board has determined that there is currently capacity available in the system for the project and that it meets the District requirements for annexation and connection. Therefore, the Board has approved the proposal provided that the following conditions are met:

PROJECT DESCRIPTION

1. The project will consist of twenty nine (29) new lots. There will be twenty eight (28) lots for single family residential living units with typically 3 bedrooms per living unit, plus one (1) lot for undetermined commercial use.
2. There will be a maximum of one single family living unit per residential lot. The commercial lot may have one commercial building that will discharge not more than one "equivalent unit" of sewage (roughly 200 to 250 gpd).
3. The project will be on lot 18 of Centennial Subdivision with a total size of 7.05 acres. The minimum lot size will be approximately 7,500 square feet and the maximum lot size will be approximately 14,000 square feet.
4. There will be one, and one only, four-inch sewer service with minimum 2% grade to each residence or commercial unit.

GENERAL CONDITIONS

1. Property owner must submit a legal description of the property and proof of ownership, such as a notarized statement by the County Clerk and Recorder, or other legal document.
2. Prior to construction, the property owner must submit to the District a scale drawing of the final lot layout of the project. This layout must show the size and location of all buildings,

all access routes, and existing sewer lines and manholes with depth indicated. It must show proposed sewer services with size and grade indicated, proposed or existing wells and water lines with well capacity and line diameters indicated, any irrigation ditches near the property, and any other pertinent features of the lot or project. All proposed sewer cleanouts must be shown.

3. The owner must submit to the District a letter from the County Sanitarian that the proposed water system, lot size, and lot layout meets all County and State regulations.
4. Proposed structures and sewer service lines may not straddle or cross any lot lines.
5. The owner must submit to the District a copy of property covenants or notarized letter of agreement showing that all water and sewer lines on the property will be in no-build easements at least 15 ft. wide.
6. By hooking into the Corvallis Sewer District, the owner and all subsequent residents agree to abide by all District rules prohibiting discharge of harmful materials to the sewer. These harmful materials include, but are not limited to, stormwater, roof runoff, sub-surface drainage, unpolluted industrial process water, or any sewage that contains toxic materials, or viscous, fatty or solid materials that would be harmful to the system.

CONDITIONS FOR ANNEXATION

1. This Letter of Acceptance is a conditional approval for annexation and connection to the Corvallis Sewer District.
2. This annexation involves the subdivision of the property into three or more lots, so the owner must submit full engineered design plans and survey to the County Planning Department for review and approval. After plans are approved by Ravalli County and the Montana State Department of Environmental Quality, the owner must submit a copy of the final plat and approval statements to the District Clerk with a \$400 annexation fee.
3. The District will then conduct its own review and approval of the plans based on conditions set forth in this approval statement, and submit the necessary forms to the Secretary of State to finalize the annexation procedure.
4. Final approved documents must be filed with the County Clerk and Recorder before owner may begin construction. Construction must be done strictly in accordance with approved plans and specifications, with certified as-built plans submitted to the District upon completion of construction. No units will be connected to the new sewer until after receipt of certified as built plans.

INSTALLATION OF IMPROVEMENTS

1. All proposed water and sewer services must be installed in accordance with County and State regulations and the Uniform Plumbing Code. All plumbing inside a building must conform to the Uniform Plumbing Code.
2. Any sewer improvements that are intended to be given to the District for operation and ownership must have detailed design plans prepared by a Professional Engineer and approved in writing by the District or their designated representative prior to construction.
3. Under normal conditions, the property owner is responsible for installing and maintaining the sewer service from the building to the point where it enters the sewer main.
4. All sewer services shall be SDR 35 ASTM 3034 PVC pipe with rubber ring joints, except from the house to 10 feet outside the footing wall will be Schedule 40 PVC pipe with glued

- joints. The District must approve the specific connection saddles used. All pipes must be bedded in approved bedding material. All trenches must be compacted in accordance with Montana Public Works Standard Specifications. Adequate cleanouts must be provided.
5. Installation of sewer services and connections to the sewer main must be done by a licensed and bonded Contractor and supervised by the Corvallis Sewer District General Manager. All services and connections must be air tight and guaranteed by the Contractor for 2 years. Should problems arise, the District may require an extension of the guarantee period.
 6. The Contractor or Owner must file a permit application with the District at least 5 working days prior to installing a service or connection, and must notify the District Manager at least 48 hours prior to the connection of the service to the main.
 7. Any disturbance of streets, sidewalks, parkways or other public property during sewer installation shall be restored to better than original conditions in accordance with Montana Public Works Standard Specifications.

PAYMENT OF FEES

1. This project must pay a one-time connection fee to the Corvallis Sewer District in the amount of \$58,000 (fifty eight thousand dollars). This fee is due and payable within 30 days of the date of filing the final plat.
2. The connection fee is calculated as the sum of 29 living or commercial units not originally within the Sewer District at \$2,000 per unit.
3. In addition to the one time connection fee, each living unit must pay the regular monthly user charge. Upon connection of each living unit to the sewer, or on the date two years from the date of the final plat, whichever comes first, each living unit must begin paying regular monthly fees.
4. If living units are not connected within two years of the date of the plat, and the owner does not begin payment of regular monthly fees, the owner will forfeit this approval to connect to the sewer system. If at that time the owner does not respond to a warning letter to be sent by the District, he will lose all rights and previously paid fees determined under this approval. After that time, any re-application for connection will be considered the same as any other new application received by the District.

APPROVAL AND ACCEPTANCE OF THE ABOVE DESCRIBED PROJECT,
WITH THE DESCRIBED FEES, CONDITIONS AND OBLIGATIONS LISTED ABOVE
IS HEREBY GRANTED:

CORVALLIS COUNTY SEWER DISTRICT



By: Charles McRae, Board President



Environmental Health
215 South 4th – Suite D
Hamilton, MT 59840
(406)375-6268 FAX (406)375-2048

MEMORANDUM

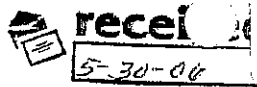
TO: Ravalli County Planning Department

FROM: *W* Morgan T. Farrell, R.S., Environmental Health

DATE: 4-27-06

RE: Centennial Subdivision, PP Lot 17

The Ravalli County Environmental Health Department has received the above-referenced proposal for review. Based on the information provided, the application appears to be sufficient for subdivision review. The Sanitation in Subdivision review will be completed in accordance with the contract with the Department of Environmental Quality. Additional questions or comments may be required based upon the continued review of this file and the content of future submittals.

**EXHIBIT A-6****SURVEYING
PLANNING**

3021 Palmer • P.O. Box 16027 • Missoula, Montana 59808-6027

RECEIVED(406) 728-4611
FAX: (406) 728-2476
wgmgroupp.com**DATE:** May 24, 2006MAY 30 2006
1C-06-05-840
Ravalli County Planning Dept.**TO:** David Ohnstad, Ravalli County Road & Bridge Department**CC:** APPROVED FOR PRELIMINARY PLAT 30 MAY 2006
John Horat, Bitterroot Engineering & Design
*[Signature]***FROM:** Ryan J. Salisbury, P.E.**RE:** Centennial Subdivision, Lot 17, AP Preliminary Review Completion
Ravalli County Reference No. OG-05-10-1061
WGM Group Reference No. 05-11-19

On behalf of the Ravalli County Road and Bridge Department (RCRBD), we have completed our preliminary review of the above referenced project. Adequate road, grading, and drainage information has been submitted for the project. If the RCRBD is in concurrence with our review, please forward this letter to the Planning Office to be included with the full subdivision application.

A Preliminary Comment Memorandum was sent to the design engineer in accordance with Step 6 on the RCRBD's Schedule of Activities – Processing & Coordination of Subdivision Projects form. We are now sending this letter to your office in accordance with Step 7 of the RCRBD's Schedule of Activities to complete our preliminary review of the project.

We have included a copy of the following with this letter:

- 1) Preliminary comment memoranda from WGM Group
- 2) Preliminary comment response letter from Bitterroot Engineering & Design

This review is based on the 2004 version of the AASHTO Geometric Design of Highways and Streets, the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400), and the Ravalli County Subdivision Regulations.

Review of the plans and reports is limited to general conformance with the Ravalli County Subdivision Regulations in place at the time the subdivision application was submitted. This is not a complete or comprehensive review of the design assumptions or conclusions of the design professional who submitted the plans and reports. A final set of construction plans will need to be submitted by the developer for review by the RCRBD prior to beginning construction.

Thank you for the opportunity to work with the Ravalli County Road Department. If you have any questions, please contact our office.

Tristan Riddell

From: David Ohnstad
Sent: Monday, July 03, 2006 1:22 PM
To: 'John Horat'
Cc: Tristan Riddell
Subject: RE: Condition of Willow Creek Road

A pro-rata contribution for Willow Creek Road (replacement of the roadway bridge) in addition to the construction of a foot-bridge with approach pathways - separated from the roadway - may be considered to of significant benefit to the community and the safety of roadway users, and may be a concept that we would entertain. The footbridge would have to be separated from the roadway bridge sufficiently to allow for replacement and widening at a later date.

From: John Horat [mailto:john@brengineer.myrf.net]
Sent: Monday, July 03, 2006 12:45 PM
To: David Ohnstad
Cc: Tristan Riddell
Subject: Re: Condition of Willow Creek Road

David,

In lieu of replacement of the existing bridge, would you consider alternative recommendations such as a footbridge next to the existing bridge? Also, the developer could be required to contribute the share amount for CTEP funding to construct a bridge across the canal. Thanks for your consideration in this matter. John Horat

----- Original Message -----

From: David Ohnstad
To: Tristan Riddell
Cc: John Horat
Sent: Monday, July 03, 2006 10:23 AM
Subject: RE: Condition of Willow Creek Road

Tristan -

- 1) The primary access to the Centennial Subdivision, Willow Creek Road, is functionally classified as a Major Collector roadway with a current ADT of 3190. There currently is no provision for the safe passage of pedestrians over the canal as the existing bridge is narrower than current design standards. With that given, the proximity of this subdivision to the Corvallis Elementary School and the rate of development in the immediate area, we believe that the granting of this variance **may prove detrimental** to the public health, safety or general welfare or injurious to other adjoining properties.
- 2) The conditions on which the request for variance is based **are not unique to this property**.
- 3) There are **no physical conditions which would prevent compliance** with the subdivision regulations.
- 4) -
- 5) **The variance may cause a substantial increase in public costs.** If this bridge is not replaced by the owners of subdivision development, the growing number of vehicles, bicyclists and pedestrians resulting from that development may likely cause the county to schedule the replacement, at public expense, of the bridge to accommodate these uses.

For these reasons, and to comply with the Subdivision Regulations, we would not recommend approval of this variance.

David

DAVID H. OHNSTAD
COUNTY ROAD SUPERVISOR
RAVALLI COUNTY, MONTANA
(406) 363 - 2733

From: Tristan Riddell
Sent: Friday, June 30, 2006 1:25 PM
To: David Ohnstad
Cc: 'John Horat'
Subject: RE: Condition of Willow Creek Road

David-

Attached please find the Variance application for Centennial Lot 17 major subdivision (29 lots). Any comment(s) you could provide regarding the Road & Bridge Departments stance on this request would be extremely helpful. Would you recommend approval or denial of the variance request?

Thank you.

Tristan Riddell
Ravalli County Planning Department
215 S. 4th St., Suite F
Hamilton, MT 59840
Phone (406) 375-6530
Fax (406) 375-6531
triddell@ravalliacounty.mt.gov

-----Original Message-----

From: David Ohnstad
Sent: Friday, June 30, 2006 10:33 AM
To: Tristan Riddell
Subject: RE: Condition of Willow Creek Road

Upon the adoption of the revised roadway design standards we have not required a **pro-rata assessment** on the first segment of Willow Creek Road east of SR269. The bridge over the irrigation canal is not of current design but is not limited for weight. The design standards provide for existing structures to remain, even though not of current **geometric design**, provided there is not a demonstrated safety issue. However, for a subdivision of the size that would require roadway reconstruction (over 21 units?), the bridge would have to be replaced to conform to the "new" construction design standards.

From: Tristan Riddell
Sent: Thursday, June 29, 2006 11:35 AM
To: David Ohnstad
Subject: Condition of Willow Creek Road

David-

I've been hearing consultants say that Willow Creek Road meets County standards, specifically from Eastside Highway to at least the access point of Centennial Lane (private road). I was also under the impression that the bridge crossing the Surprise Ditch needed to be improved, and have heard (again through the grapevine) that you were looking into whether AASHTO standards allow for putting the burden of reconstructing the bridge to fall on a developer. Is any of this information correct?

7/5/2006

